

DISTRICT III ADVISORY BOARD

MINUTES

Tuesday, March 6, 2001

7:00 p.m.

Colvin Mini City Hall, 2820 S. Roosevelt

Members Present

Bill Ward (First Pro-tem)

Brent Turnipseed

Matt Foley

John Kemp

Phil Bloomquist

Gene Fuhr

Jim Gulick

Jim Skelton

Judy Dillard

Members Absent

Lois Ann Newman

Phyllis Hall

Council Member Lambke

Staff

Off. Michael Roets, South C.P.

Jim Armour, Public Works

John Stark, Environmental Health

Randy Sparkman, OCI

Scott Knebel, MAPC

Kurt Schroeder, OCI

ORDER OF BUSINESS

Call to Order

Bill Ward called the meeting to order at 7:00 p.m.

Approval of the Agenda

Bill Ward did not have any changes to be made to the agenda.

Approval of Minutes

Matt Foley wanted to make a correction to the January 30, 2001 Minutes. **Foley** noted a correction to the information he provided as a paraphrase of a statement by **Vice Mayor Lambke** regarding the Council salary issue. **Foley** explained that he had inserted his own opinion in the paraphrasing and asked that it be clarified as his statement.

Public Agenda

1. Scheduled items

None submitted.

2. Off-agenda items

None submitted.

Public Works Agenda

3. South Hydraulic Paving and Drainage Project

Jim Armour, Design Engineer, Department of Public Works, and representatives from the Baughman Company presented the proposed design concepts for paving Hydraulic from MacArthur to 47th Street South, and improving the drainage ditch from Hydraulic to the Kansas Turnpike. **Armour** said the project is a \$10 million dollar project budgeted through the Capital Improvement Program. Baughman Company was contracted for the project. The project starts at MacArthur and extends south for 2.4 miles to the Sedgwick County line. The first phase of concentration is MacArthur and 47th Street.

Jeff Bradley, Project Engineer for Baughman Company, said that phase one of MacArthur to 47th Street is the current area of concentration. The proposed project will convert Hydraulic to a multi-lane street. There will be four (4) lanes with left turn lanes at the entrance for the Riverside Mobile Home Park. Turn lanes will be placed at the Falcon Point Apartments, and will go north approaching Mac Arthur. There will be turn lanes north and south at MacArthur. There will be green space along the project with the existing trees remaining and other plants added. Sod will be used to cut down on the erosion. Existing sidewalks will be kept and new six (6) foot sidewalks will also be added on both sides.

Brent Wooten, President of Baughman Company, presented information on the drainage part of the project. All of the areas west of Hydraulic and 47th street and south to MacArthur have sand and gravel roads. This doesn't allow drainage to get out the area. The existing drainage collects at the south end of Emery Park. There will be a detention pond and most of the trees will remain intact. There will be discharge drapes across the Turnpike. Currently, the ditch discharges into the Arkansas River through an existing pipe. The proposed project will build a concrete line channel with vertical walls in the form of sheet piling, and fence the area for the safety of the area residents. Another proposal for the open ditch is to enclose it with a box to will help the visibility and lower the maintenance problems. The design of the storm sewer system along Hydraulic and anything west of Hydraulic could be paved at some time.

Ward opened for questions:

Kemp wanted to know if the pond at Emery Park was going to be permanent. **Wooten** said yes.

Turnipseed asked if there was going to be a constant level of water in the pond. **Wooten** said yes. The pond will be designed to be stocked with fish. **Turnipseed** asked how deep they are going to dig the pond. **Wooten** said normally they excavate at 12 feet, but the total excavation will be between sixteen (16) and eighteen (18) feet.

Dillard asked if stagnation would be a problem. **Bradley** said no.

Ward asked where the traffic lights are going to be on the hydraulic improvement.

Bradley answered there will be a new black standard signal system at Mac Arthur.

Kemp asked if there is going to a left turn lane at 47th Street. **Bradley** said there are left turn lanes at 47th Street and also at MacArthur for both northbound and southbound traffic.

Foley wanted to know if there would be any negative environmental concerns with all the renewed drainage running down to the pond. **Wooten** said there is some concern about that. The pond will be a holding pond that will catch the water and be more of a filtration area. **Foley** wanted to know what kind of impact would this project have on the Arkansas River. **Wooten** said that the environmental impact would be minimal because everything they use percolates quickly. **Foley** said that the way the plan is laid out, it appears to have future growth room, is that a consideration? **Armour** said that there are no plans for expansion at the moment; the volume of cars does not necessitate an increase in the number of lanes in the area. **Foley** asked how the residents of this area feel about the project. **Dillard** said they have been waiting for this for a long time. **Foley** wanted to know when the completion is projected. **Armour** said they hope for the contract to begin the storm sewer and drainage this year, probably late summer and possibly the paving if everything goes well. Technically, the money was budgeted for a 2002 construction -- there is not a whole lot that can be started at this time.

Action: Receive and file.

4. CON2001-00013

Scott Knebel, Metropolitan Area Planning Department, presented to the Board the conditional use request for a communication tower on the property of 2550 S. St. Francis in the "LI" Limited Industrial zoning district. The applicant is seeking to build a 150-foot high self-supported lattice-tower. The staff recommended denial of this request due to the fact that there is an existing tower a few hundred feet north of this. They also cited the fact that the tower requested is a lattice-tower rather than a monopole tower. The character of the area is mixed with single-family residences across the railroad tracks to the east, vacant industrial land in the area, a rather large apartment complex to the southwest, a good size shopping center to the west and to the north, there are developed industrial businesses including one that has an existing 110 ft. monopole tower. In reviewing the application, the applicant has indicated that there are two (2) communication companies that are seeking to locate on this tower: 1) Cricket Communication Company and 2) ITSROE.com, a broad band wireless data transfer service. There is an existing tower that is owned by Sprint. The owner of that tower has indicated that they are willing to allow that tower to be rebuilt at a greater height to the expense of Cricket Communications and Itsrow. Cricket needs a minimum of 130 feet and ITSROE needs a minimum of 120 feet.

Knebel stated that the request does not conform to the wireless plan for several reasons: 1) it does not use the existing tower in the area; 2) it does not minimize the height of the tower; 3) the lattice-tower does not minimize the silhouette, which is a requirement in the wireless masterplan that indicates that the monopole tower is favored over the lattice-tower; and 4) there is no proposed landscaping to provide any type of screening to the residential area to the east of the tower.

Planning indicates specific recommendations for conditions of approval. These recommendations are: 1) the tower company has one year to erect the tower; 2) the tower must be a monopole design rather than a lattice design; 3) the height of the tower be 130 feet rather than 150 feet, since that is all the two (2) companies need; 4) require some landscaping in the form of trees that would grow to be 40 to 60 feet on the east side of the

tower in order to shield the lower half of the tower; and 5) require the sight to be approved by the Federal Aviation Administration.

Fuhr said he noticed that just south of the monopole tower there is a temporary tower.

Knebel said there is a temporary tower that has been granted approval based on the needs for communication systems. There is a six (6) month approval for the companies to use this tower. **Ward** asked if the existing monopole tower is substantial enough to add to it. **Knebel** said it isn't, it would have to be reconstructed in order to increase the height. A new one would have to be built and the old one would have to be torn down.

Kim Edgington, Austin Miller, represents the applicant of the tower. She informed the Board that Cricket Communications is not building this tower. The applicant is Brad Murray Rentals, which is a tower building company. Cricket has subcontracted Brad Murray to build the tower. Sprint is not willing to allow Brad Murray Rentals to rebuild their tower, because Sprint has a proprietary interest in their tower. Since Cricket has gone online, they are now servicing Wichita and they have revised their engineering studies finding that a 150foot tower is required to service their needs; they are very underpowered by the temporary tower. Their entire system was based on the school systems network, and was assured that on December 1, 2000 that the school districts towers would be marketed and managed and we have yet to see that happen. That is why Cricket has decided to go ahead and locate sights. Murray is willing to work with the planning staff to do what is most favorable for the neighborhood. He builds towers to hold five (5) carriers. It is in his best interest to locate as many carriers on these towers and in turn this reduces the amount of towers needed. Taking down a tower and rebuilding it and relocating all the equipment on it is relatively more expensive than if it is done from scratch. This tower would not require any lighting, as it has been approved by the Federal Aviation Administration without lighting required, because it is less than 200 feet. **Turnipseed** wanted to know how tall the Sprint tower is. **Edgington** replied that it is 110 feet. **Fuhr** asked if they were going to put a second tower in. **Edgington** said they would build a second tower because Sprint would not allow them to rebuild their tower. **Kemp** asked how far these towers would be from each other. **Edgington** said they would be about 310 feet. **Bloomquist** asked that in the brief that Cricket would not pickup the cost to use the Sprint tower but what about ITSROE.com? **Edgington** said that ITSROE is a very small wireless Internet Company and they are not equipped to foot that expense. **Ward** wanted verification that a monopole tower is required over lattice-tower. **Knebel** said they are favored not required. **Ward** wanted to know why they are proposing a lattice-tower instead of a monopole tower. **Edgington** said the information the DAB had was the original proposal and it was for a lattice-tower. However, they are willing to change that to a monopole tower. **Ward** asked why the change in the alternate recommendation did it change from 150 feet level to 130 feet level. **Knebel** said Cricket only requested 130 feet, which is all they need to be operational.

Bloomquist stated that ITSROE needs 150 feet, because of broadband, and that's a minimal requirement. **Edgington** stated that in the original proposal ITSROE only needed 120 feet, but they need to be at the top of the tower because they work on a line of sight and if anything gets in the way they have lost their signal. Cricket has done a new radio frequency propagation study and determined they need to have the 150 feet level tower. **Kemp** wanted to know how big the disks were. **Edgington** said they are panels that are one (1) foot wide and four (4) feet long and on a monopole there is a triangular

frame with two antennas mounted on each corner. **Turnipseed** asked if the monopole Mr. Murray is willing to build at 150 feet. would be able to hold five (5) carriers. **Edgington** said the foundation would be built to hold five (5) carriers.

Fuhr (Foley) made the motion to support the findings of the Metropolitan Area Planning Department to deny the request until conditions A through J are met as identified in their recommendation for denial or brought forth for negotiations with the staff. (9-0)

Action: Board unanimously voted to recommend denial of the request until all conditions brought forth by the Metropolitan Area Planning Department have been met by the applicant.

Staff Presentations

5. Minimum Housing Standards

Kurt Schroeder, Superintendent of the Office of Central Inspection, presented the proposed minimum standards required for housing. This code states that every dwelling unit in the City of Wichita must meet minimum standards. The minimum housing code is just the minimum needed for heat, electricity, plumbing, leaks in the ceiling, and making sure that porches are safe. This code has not been significantly amended since 1962. Comparisons of the previous standards with those of other cities have taken place. The best parts of those have been added to minimum housing code. There were nineteen (19) new definitions added. Some of the important changes to the definitions were the addition of definitions for “structurally sound”, “workmanlike manner”, “safe and sanitary” and an expansion and clarification of “owner”. A big addition to the code is the requirement for installations and repairs to comply with applicable codes and be performed in a workmanlike manner.

In the second section of the code – Minimum Standards for Basic Equipment, which are things like heating, haven’t undergone a lot of changes there. The addition was made that countertops must be non-combustible and that locking devices are required on all exterior doors and ground level windows. Section three (3) of the code is the Minimum Standards for Light, Ventilation, Electricity and Heating. Some significant changes were made in the electricity section, which moved from two (2) outlets in a habitable room to having three (3) outlets. Extension cords are prohibited for use as substitute for fixed wiring. Battery operated smoke detectors are required on each level of the house and in common areas. Screens are required only on doors and windows used for ventilation. Section four (4) – Safe and Sanitary Maintenance is the exterior of the property. Broken the code down by section starting from the foundation and ending with the roof. Section five (5) - -Maintenance of Vacant Structures. If a house is boarded, it must be done a certain way. Must use minimum of 3/8 of plywood, exterior grade, it must be painted and cut to fit and screwed in. Section six (6) – Minimum Space, Use, Etc. Defined efficiency units and have also added minimum space requirements. There is a minimum floor space of seventy (70) square feet for the first person and fifty (50) square feet for additional people in a bedroom. Section seven (7) – Responsibilities of Owners and Occupants. The Landlords are responsible for screens and their maintenance. The occupant of a single-family residence is responsible for the extermination of rodents and insects.

Multi-family residences, the owner is responsible for the extermination of insects. The owner has to provide smoke detectors, but the tenant is responsible for replacing batteries and keeping the operational. The last item is placarding. An orange sign is placed on a residence stating that there are so many health and safety violations in this house that it can't be occupied or reoccupied until certain safety issues are taken care of. The new code also states that it is illegal to remove the placard. If anybody wants a copy of the actual ordinance it can be obtained by calling Kurt Schroeder. The ordinance actually delineates the changes. The revised ordinance will be taken before the Council in March or April.

Action: The board unanimously recommended that the Office of Central Inspection submit the revision of the Minimum Housing Code to City Council.

6. Amendments to Unified Zoning Code

Scott Knebel, Metropolitan Area Planning Department, briefed the DAB on the recommended amendments to the Unified Zoning Code. Knebel stated that the changes are more grammatical than anything else. There were several areas that he brought to the attention of the DAB members. The first item is on page 172 it has to do with allowance of parking for commercial businesses. Currently, commercial businesses are allowed administrative approval to have half of their parking off sight. The recommendation is to allow administrative approval to allow 100 % parking to be off sight. Another change listed on page 206 of the code is to allow administrative approval ability to refuse side and rear yard setbacks. A lot of the older homes have just one bathroom smaller kitchens, one car garages and many residents want to renovate these homes, and are on smaller lots and can't meet the setback requirements of six (6) feet on the side yard. This provides greater ability to reduce those sides and rear yard setbacks over and above what can be done administratively today. **Kemp** wanted to know how far they would allow the boundaries of their property to go. **Knebel** said it could be three (3) feet on the side and five (5) feet in the rear. The rear setback will only be if the structure took up less than half of the rear of the lot. **Turnipseed** asked if that means the houses can be six (6) feet apart. **Knebel** said that is correct on the side, but only on the rear half of the lot. **Foley** asked if that would require that they have to go before the zoning commission to get a variance. **Knebel** said that they don't have to go before the commission but they will need to file an application. One of the other changes is on page 51, concerns the Single-family districts in the City of Wichita, which is called the SSF6 district. SSF stands for Single-Family and the 6 stands for the minimum lot size, six thousand square feet. Knebel said that they are recommending that the district be changed to SSF5, which would reduce the minimum lot size to five thousand square feet. By reducing the square footage this would allow development structures to be built on smaller lots. Knebel said the other change in the document was the issue of portable containers. This revision clarifies that the portable storage containers are of temporary outside usage only. They are allowed to stay on the property for up to sixty (60) days. **Knebel** said essentially all the other changes in the code were of technical nature, dealing with fine tuning the definitions, grammatical changes, and making statements more clear.

Action: Received and Filed.

Unfinished Business

7. Status Report on the Cornejo Construction and Demolition Landfill

John Stark, Environmental Health and Randy Sparkman, Office of Central Inspection, answered questions brought forth by the Board. **Dillard** wanted to know if the berms were in compliance with the code. **Sparkman** said the berms are in compliance at this point in time. With the exception of being seeded, it is in compliance; the height and width and the depth are correct. As soon as the weather gets better they will seed it. **Skelton** wanted to know how long the landfill would be open. **Sparkman** said it has two (2) more years before it will close.

Action: Received and Filed.

New Business

None submitted.

Board Agenda

8. Status on Street Cleaning

Fátima Crump, Neighborhood Assistant, reported on the status of the street cleaning. Crump said that Randi Thome, Street Supervisor, Public Works, said he is working with five (5) sweepers for the entire City. He is working on program enhancements to add two (2) new helpers. The South area of the City was swept in July of 2000; he is planning on having this area swept in a few weeks. During the winter months they must concentrate on putting sand down on the roads with heavy concentration on main streets and school areas. When the weather permits they will start sweeping in the Northeast part of the City and work their way to the south area.

Action: Receive and File.

Other

9. Neighborhood University

Ward stated there was no report available for Neighborhood University.

Action: Receive and File.

10. Public Information Session on the Capital Improvement Program

Ward reminded the Board of the Capital Improvement Program Public Session to be held on March 14 at 7:00 p.m. at Century II.

Action: Receive and File.

11. DAB Appreciation

Ward announced the DAB Appreciation to be held on March 27 from 5:30p.m. to 7:30p.m. at the Farm and Art Market.

Next Meeting

Ward (Bloomquist) made a motion to move the April 3rd meeting to April 17th, 2001 at 7:00 p.m. at Colvin Mini-City Hall. (9-0)

Being no further business, **Mr. Ward** adjourned the meeting at 9:45 p.m.

Submitted by,

Fátima Crump
Neighborhood Assistant

Guests

Jeff Bradley, Baughman Company, 315 Ellis, 67211
Brent Wooten, Baughman Company, 315 Ellis, 67211
Brian Glenn, Baughman Company, 315 Ellis, 67211
Kim Edgington, Austin Miller, 355 N. Waco, Ste. 200
Joe Rodriguez, Wichita Eagle, 825 E. Douglas
LaVeda Berry, 2597 S. Holyoke
Paul Davis, 6417 S. Madison Ct., 67216
Aline Collins, 2589 S. Holyoke, 67210